UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1998/1090
19 November 1998
ENGLISH
ORIGINAL: ARABIC, CHINESE, ENGLISH, FRENCH, RUSSIAN AND SPANISH

Draft resolution

The Security Council,

Reaffirming its resolution 1170 (1998) of 28 May 1998,

Reaffirming also the statements of its President of 19 June 1997 (S/PRST/1997/34), 16 September 1998 (S/PRST/1998/28) and 29 September 1998 (S/PRST/1998/30),

Emphasizing that the provision of security to refugees and the maintenance of the civilian and humanitarian character of refugee camps and settlements is an integral part of the national, regional and international response to refugee situations and can contribute to the maintenance of international peace and security,

Having considered the report of the Secretary-General of 13 April 1998 on the "Causes of Conflict and the Promotion of Durable Peace and Sustainable Development in Africa", which was submitted to the General Assembly (A/52/871) and to the Security Council (S/1998/318) in accordance with the statement of its President of 25 September 1997 (S/PRST/1997/46),

Taking note of the report of the Secretary-General of 22 September 1998 on the "Protection for Humanitarian Assistance to Refugees and Others in Conflict Situations" (S/1998/883),

Recognizing the extensive experience of African States in hosting refugees and in dealing with the effects of refugee camps and settlements,

Affirming the civilian and humanitarian character of refugee camps and settlements, and in this regard underlining the unacceptability of using refugees and other persons in refugee camps and settlements to achieve military purposes in the country of asylum or in the country of origin,

Noting the diverse causes of insecurity of refugee camps and settlements in Africa, including, inter alia, the presence of armed or military elements and other persons who do not qualify for international protection afforded refugees or otherwise do not require international protection, differences within the

refugee population, conflicts between refugees and the local population, common crime and banditry and the flow of arms,

Recognizing the need to take steps to assist African States to improve the security of refugees and to maintain the civilian and humanitarian character of refugee camps and settlements in accordance with international refugee, human rights and humanitarian law,

Stressing the particular security needs of women, children and the elderly, who are the most vulnerable groups in refugee camps and settlements,

Recalling resolutions 52/103 and 52/132 of the General Assembly regarding, respectively, the Office of the United Nations High Commissioner for Refugees (UNHCR) and human rights and mass exoduses,

1. Reaffirms the importance of the principles relating to the status of refugees and the common standards for their treatment contained in the United Nations Convention relating to the Status of Refugees of 28 July 1951, as modified by the Protocol relating to the Status of Refugees of 31 January 1967;

2. Underlines the particular relevance of the provisions contained in the Organization of African Unity (OAU) Convention Governing the Specific Aspects of Refugee Problems in Africa of 10 September 1969;

3. Affirms the primary responsibility of States hosting refugees to ensure the security and civilian and humanitarian character of refugee camps and settlements in accordance with international refugee, human rights and humanitarian law;

4. Calls upon African States further to develop institutions and procedures to implement the provisions of international law relating to the status and treatment of refugees and the provisions of the OAU Convention, especially those relating to the location of refugees at a reasonable distance from the frontier of their country of origin and the separation of refugees from other persons who do not qualify for international protection afforded refugees or otherwise do not require international protection, and in this regard urges African States to seek international assistance, as appropriate;

5. Recognizes the primary responsibility of the UNHCR, with the assistance of other relevant international bodies and organizations, to support African States in their actions directed towards the full respect and implementation of the provisions of international law relating to the status and treatment of refugees, and requests the UNHCR, as needed, to keep in close touch with the Secretary-General, the OAU, subregional organizations and the States concerned in this regard;

6. Notes that a range of measures by the international community are needed to share the burden borne by African States hosting refugees and to support their efforts to ensure the security and civilian and humanitarian character of refugee camps and settlements, including in the areas of law enforcement, disarmament of armed elements, curtailment of the flow of arms in refugee camps and settlements, separation of refugees from other persons who do

not qualify for international protection afforded refugees or otherwise do not require international protection, and demobilization and reintegration of former combatants;

7. Notes also that the range of measures referred to in paragraph 6 above could include training, logistical and technical advice and assistance, financial support, the enhancement of national law enforcement mechanisms, the provision or supervision of security guards and the deployment in accordance with the Charter of the United Nations of international police and military forces;

8. Requests the Secretary-General to respond, as appropriate, to requests from African States, the OAU and subregional organizations for advice and technical assistance in the implementation of international refugee, human rights and humanitarian law relevant to the present resolution, including through appropriate training programmes and seminars;

9. Urges the UNHCR, other relevant United Nations bodies and organizations, Member States, the OAU and subregional organizations to initiate coordinated programmes to provide advice, training and technical or other assistance, as appropriate, to African States which host refugee populations, with a view to strengthening their capacity to implement the obligations referred to in paragraph 4 above, and encourages relevant non-governmental organizations to participate in such coordinated programmes when appropriate;

10. Encourages the Secretary-General and Member States involved in efforts to enhance Africa's peacekeeping capacity to continue to ensure that training gives due emphasis to international refugee, human rights and humanitarian law and in particular to the security of refugees and the maintenance of the civilian and humanitarian character of refugee camps and settlements;

11. Expresses its support for the inclusion in the United Nations Stand-by Arrangements of military and police units and personnel trained for humanitarian operations, as well as related equipment, which relevant United Nations bodies and organizations could draw on in providing advice, supervision, training and technical or other assistance related to the maintenance of the security and civilian and humanitarian character of refugee camps and settlements, in coordination as appropriate with the African States hosting refugees;

12. Requests the Secretary-General to consider the establishment of a new category within the United Nations Trust Fund for Improving Preparedness for Conflict Prevention and Peacekeeping in Africa to support, as needed, and in addition to existing sources of funding, the provision of advice, supervision, training and technical or other assistance related to the maintenance of the security and civilian and humanitarian character of refugee camps and settlements, including those activities referred to in paragraph 11 above, and urges Member States to contribute to this Fund;

13. Requests the Secretary-General to continue his consultations with Member States, regional and subregional organizations and other relevant international bodies and organizations and to keep it informed about developments in Africa related to the security and civilian and humanitarian

character of refugee camps and settlements which affect the maintenance of international peace and security in the region, and to recommend concrete measures, such as those mentioned in paragraph 7 above, as needed, in this regard;

14. Expresses its readiness to consider the recommendations referred to in paragraph 13 above in accordance with its responsibilities under the Charter of the United Nations;

15. Requests all Member States, relevant international bodies and organizations and all regional and subregional organizations to consider, as appropriate, the application of the measures contained in this resolution to regions other than Africa;

16. Decides to remain seized of the matter.

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1998/1091
19 November 1998
ENGLISH
ORIGINAL: ARABIC, CHINESE, ENGLISH, FRENCH, RUSSIAN AND SPANISH

Draft resolution

The Security Council,

Reaffirming its resolutions 1170 (1998) of 28 May 1998, 1196 (1998) of 16 September 1998 and 1197 (1998) of 17 September 1998,

Recalling the statements of its President of 25 September 1997 (S/PRST/1997/46), 16 September 1998 (S/PRST/1998/28) and 24 September 1998 (S/PRST/1998/29),

Having considered the recommendations contained in the report of the Secretary-General of 13 April 1998 on "The causes of conflict and the promotion of durable peace and sustainable development in Africa" regarding the importance of stemming the illicit arms flows to and in Africa,

Recognizing the close relationship of the problem of illicit arms flows to and in Africa with international peace and security,

Recognizing with concern that commercial and political motives play an unduly important role in the illicit transfer and accumulation of small arms in Africa,

Stressing the close linkage between international peace and security and sustainable development and the need for the international community to respond to the challenge of illicit arms flows to and in Africa in a comprehensive manner, encompassing not only the field of security but that of social and economic development,

Reaffirming the right of African States to procure or produce necessary weapons to meet their legitimate national security and public order needs in accordance with the Charter of the United Nations and other rules and principles of international law,

Welcoming an offer of the Government of Switzerland to host in Geneva, not later than 2001, an international conference on the illicit arms trade in all its aspects,

Welcoming the negotiation process in Vienna on the elaboration of an international convention against transnational organized crime, including a protocol to combat illicit manufacturing of and trafficking in firearms,

Welcoming the ongoing work of the Secretary-General on small arms and light weapons pursuant to General Assembly resolutions 50/70 B and 52/38 J, including the work of the group of governmental experts nominated by him, and noting the findings pertaining to illicit arms flows to and in Africa in the Report on Small Arms of the Secretary-General of 27 August 1997 (A/52/298),

Welcoming also the decision of the Secretary-General to coordinate all action on small arms within the United Nations system through the Coordinating Action on Small Arms, for which the Department of Disarmament Affairs is designated as the focal point,

Commending the national, bilateral and subregional initiatives being taken in Africa in combating illicit arms flows, such as those that have been taken in Mali and Mozambique, by the Economic Community of West African States (ECOWAS) and the Southern African Development Community,

Welcoming also the decision by the Organization of African Unity to prepare a situation report on Africa containing detailed information on the magnitude of the problem of small arms proliferation as well as appropriate policy recommendations,

1. Expresses its grave concern at the destabilizing effect of illicit arms flows, in particular of small arms, to and in Africa and at their excessive accumulation and circulation, which threaten national, regional and international security and have serious consequences for development and for the humanitarian situation in the continent;

2. Encourages African States to enact legislation on the domestic possession and use of arms, including the establishment of national legal and judicial mechanisms for the effective implementation of such laws, and to implement effective import, export and re-export controls, and encourages also the international community, in consultation with African States, to assist in these efforts;

3. Stresses the importance of all Member States, and in particular States involved in manufacturing or marketing of weapons, restricting arms transfers which could provoke or prolong armed conflicts or aggravate existing tensions or conflicts in Africa, such as through voluntary moratoria;

4. Encourages African States to participate in the United Nations Register of Conventional Arms, encourages also the establishment of appropriate regional or subregional registers of conventional arms on the basis of agreement reached by African States concerned, and encourages further Member States to explore other appropriate ways to enhance transparency of arms transfers to and in Africa;

5. Urges Member States with relevant expertise to cooperate with African States to strengthen their capacity to combat illicit arms flows, including through the tracking and interdiction of illicit arms transfers;

6. Welcomes the declaration on the moratorium adopted by the Conference of Heads of State and Government of ECOWAS, adopted in Abuja on 30 October 1998, and urges other subregional organizations in Africa to consider taking similar measures;

7. Encourages African States to examine the efforts undertaken in other regions such as by the Organization of American States and the European Union in preventing and combating illicit arms flows, and to consider adopting similar measures as appropriate;

8. Welcomes the intention of the Secretary-General to accord high priority to the United Nations role in promoting better understanding of the direct and indirect consequences of illicit arms flows, and stresses the importance of bringing the negative impact of illicit arms flows to and in Africa to the widest possible public attention;

9. Encourages the Secretary-General to explore means of identifying international arms dealers acting in contravention of national legislation or embargoes established by the United Nations on arms transfers to and in Africa;

10. Encourages the Secretary-General to promote cooperation among Member States, the United Nations, regional and subregional organizations and other relevant organizations to collect, review and share information on combating illicit arms flows, especially regarding small arms, and to make available, as appropriate, information about the nature and general scope of the international illicit arms trade with and in Africa;

11. Reiterates the obligation of all Member States to carry out decisions of the Council on arms embargoes, and, in this context, notes the broader implications of the findings and experience of the International Commission of Inquiry established by its resolution 1013 (1995) of 7 September 1995 and reactivated in accordance with its resolution 1161 (1998) of 9 April 1998, and requests the Secretary-General to consider the possible application of such a measure to other conflict zones in Africa with specific emphasis on the sources of such arms and, if appropriate, make recommendations to the Council;

12. Encourages the Secretary-General, in consultation with Member States, to explore means for collection, sharing and dissemination of information, including technical information, on illicit small arms flows and their destabilizing effects, in order to improve the international community's ability to prevent the exacerbation of armed conflicts and humanitarian crisis, as well as means for the rapid exchange of data on possible violations of arms embargoes;

13. Requests the Secretary-General to consider practical ways to work with African States in implementing national, regional or subregional programmes for voluntary weapons collection, disposal and destruction, including the possibility of the establishment of a fund to support such programmes;

14. Recognizes the important contribution of programmes for voluntary weapons collection, disposal and destruction in specific post-conflict situations in Africa, and expresses its intention to consider including, as appropriate, means to facilitate the successful conduct of such programmes in the mandates of future peacekeeping operations it authorizes in Africa on the basis of recommendations by the Secretary-General;

15. Calls upon regional and subregional organizations in Africa to strengthen efforts to establish mechanisms and regional networks among relevant authorities of their Members States for information sharing to combat the illicit circulation of and trafficking in small arms;

16. Decides to remain seized of the matter.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1998/1092
18 November 1998
ENGLISH
ORIGINAL: ARABIC

IDENTICAL LETTERS DATED 18 NOVEMBER 1998 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL AND TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to inform you that violations of Iraq's airspace by United States aircraft continued over the period 1 to 15 November 1998 and that the aircraft in question carried out reconnaissance and engaged in acts of provocation, as set forth in the annex hereto.

You are requested to intervene with a view to bringing a halt to actions that, as flagrant violations of the Charter of the United Nations and the provisions of international law, pose a threat to the sovereignty and territorial integrity of the Republic of Iraq.

These actions continue to alarm the civilian population and to cause serious damage to private and public property. The Republic of Iraq affirms its right to seek legal compensation for the damage being inflicted on the Iraqi people by these actions.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

Annex

Details of violations of Iraq's airspace and damage caused, 1 to 15 November 1998

1. In the northern region, 113 sorties were flown at speeds of 600 to 900 kilometres per hour and at altitudes of 6,000 to 9,000 metres, over the following Iraqi cities and towns: Dohuk, Mosul, Amadiyah, Aqrah, Zakho, Irbil, Tall Afar and Sinjar.

2. In the southern region, 738 sorties were flown at speeds of 600 to 900 kilometres per hour and at altitudes of 6,000 to 9,000 metres, over the following Iraqi cities and towns: Nasiriyah, Samawah, Artawi, Ushbayjah, Jalibah, Salman, Busayyah, Qurnah, Chabaish, Shinafiyah, Rumaythah, Basra, Shatrah, Qal'at Salih, Maymunah, Rifa'i, Kut, Mu'ayanah, Diwaniyah, Amarah, Umm Qasr, Safwan, Ali al-Gharbi, Abu Sukhayr, Shu'aybah, Najaf, Nu'maniyah, Nukhayb, Lasaf, Habariyah, Rahhaliyah, 'Afak, Hayy, Qala't Sukkar and Ali al-Sharqi.

3. Nine sorties were flown by United States TR-1 reconnaissance aircraft at altitudes of 20,000 metres and at speeds of 600 kilometres per hour.

4. At 1435 hours on 1 November 1998, United States aircraft violated Iraqi airspace over the city of Umm Qasr.

5. At 1045, 1110, 1145, 1515 and 1635 hours on 2 November 1998, United States aircraft violated Iraqi airspace over the city of Umm Qasr.

6. At 1026, 1030, 1100, 1210, 1510, 1533, 1539, 1645 and 1653 hours on 3 November 1998, United States aircraft violated Iraqi airspace over the city of Umm Qasr.

7. At 1150 and 1510 hours on 4 November 1998 United States aircraft violated Iraqi airspace over the city of Umm Qasr.

8. At 1426 hours on 9 November 1998, United States aircraft violated Iraqi airspace over the city of Umm Qasr.

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1998/1093
18 November 1998
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 18 NOVEMBER 1998 FROM THE PERMANENT REPRESENTATIVE OF DJIBOUTI TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you herewith a communiqué of the Ministry of Foreign Affairs and International Cooperation of Djibouti dated 18 November 1998 regarding the breaking off of diplomatic relations with the State of Eritrea following Eritrea's false and unfounded accusations against Djibouti (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Roble OLHAYE
Ambassador
Permanent Representative

Annex

Communiqué of the Ministry of Foreign Affairs and International Cooperation of Djibouti dated 18 November 1998

Following the serious and unfounded accusations made by the President of the State of Eritrea against our country regarding Djibouti's alleged participation in Ethiopia's war effort against Eritrea,

Outraged by these false allegations, despite the efforts made by the President of the Republic and current Chairman of the Intergovernmental Authority on Development (IGAD) to achieve a negotiated settlement to the conflict between Ethiopia and Eritrea,

The Government of the Republic of Djibouti has decided to break off diplomatic relations with the State of Eritrea.

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1998/1094
18 November 1998
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 17 NOVEMBER 1998 FROM THE PERMANENT REPRESENTATIVE OF AUSTRIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to draw to your attention the statement on Guinea-Bissau issued on 17 November 1998 by the Presidency of the European Union (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Ernst SUCHARIPA
Permanent Representative of
Austria to the United Nations

Annex

[Original: English and French]

Statement on Guinea-Bissau issued on 17 November 1998 by the Presidency of the European Union

The European Union (EU) welcomes the agreement reached by the Government of Guinea-Bissau and the self-proclaimed military junta during the Twenty-first Summit of the Authority of the Heads of State and Government of the Economic Community of West African States (ECOWAS) at Abuja on 1 November 1998. The signing of that agreement consolidates the ceasefire agreement signed at Praia under the joint mediation of the Community of Portuguese-speaking Countries (CPLP) and ECOWAS and constitutes an important step towards peace and national reconciliation in Guinea-Bissau.

The European Union calls upon both parties to fulfil their obligations under the Praia and Abuja agreements and to work together towards the prompt implementation of the commitments therein. The Union expresses its readiness to support the organization of the presidential and parliamentary elections provided for in the Abuja agreement.

The European Union reiterates its commitment to continue to provide humanitarian assistance to refugees and displaced persons. In this context it recalls that the European Community Humanitarian Office has moved speedily to tackle the humanitarian crisis and takes note of the readiness of several EU member States to send high-level delegations to Bissau to assess the requirements for assistance programmes. EU welcomes the decision to open Bissau port and airport, which are fundamental for the regular flow of humanitarian assistance, and urges all parties to take the necessary steps to allow the transit of humanitarian assistance and to facilitate its delivery to the populations in need.

The Central and Eastern European countries associated with the European Union, the associated country Cyprus and the European Free Trade Association countries members of the European Economic Area align themselves with the present declaration.

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1998/1095
18 November 1998
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 18 NOVEMBER 1998 FROM THE PERMANENT REPRESENTATIVE OF AUSTRIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to draw your attention to the statement on the Ethiopian-Eritrean conflict issued on 13 November 1998 by the Presidency of the European Union.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Ernst SUCHARIPA
Permanent Representative of Austria
to the United Nations

98-36087 (E) 181198 181198

/...

Annex

[Original: English and French]

Statement on the Ethiopian-Eritrean conflict issued on 13 November 1998 by the Presidency of the European Union

Following the briefing by the current Chairman of the Organization of African Unity (OAU), the European Union commends the efforts of the OAU High-Level Delegation to contribute to a peaceful settlement of the Ethiopian-Eritrean conflict at its meeting held under the Chairmanship of Blaise Compaore, President of Burkina Faso and current Chairman of OAU, Hassan Gouled Aptidon, President of the Republic of Djibouti, and Robert Gabriel Mugabe, President of the Republic of Zimbabwe, in Ouagadougou on 7 and 8 November 1998.

The European Union strongly supports the OAU High-Level Delegation's proposals for a framework agreement and urges both parties to commit themselves to full and unequivocal acceptance of these proposals.

In this context the European Union positively notes that one side has so far fully accepted the OAU proposals and hopes that the other side, which has not rejected them, will be able to agree with them in the very near future. The European Union remains ready to contribute to the implementation of these proposals.

The European Union further endorses the appeal of the OAU High-Level Delegation to the two parties to exercise maximum restraint.